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12 Attorneys for Defendant  
13 ABBOTT LABORATORIES

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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

12 ASHLEY VICKERS, Individually, and D.H., a  
13 minor child by and through a guardian ad litem,  
14 Ashley Vickers,

15 *Plaintiffs,*

16 v.

17 MEAD JOHNSON & COMPANY, LLC,  
18 MEAD JOHNSON NUTRITION COMPANY,  
19 ABBOTT LABORATORIES, DIGNITY  
20 HEALTH d/b/a BAKERSFIELD MEMORIAL  
21 HOSPITAL, CHILDREN'S HOSPITAL LOS  
22 ANGELES, and DOES 1-10, inclusive,

23 *Defendants.*

Case No. 1:22-cv-00773-JLT-BAM

Assigned for all purposes to  
Hon. Jennifer L. Thurston

**JOINT STIPULATION TO STAY ALL  
PROCEEDINGS AND DEADLINES  
PENDING TRANSFER TO MDL 3026**

Complaint Filed: April 6, 2022  
Action Removed: June 23, 2022

1 Plaintiffs Ashley Vickers and D.H. (“Plaintiffs”), Defendants Mead Johnson & Company,  
2 LLC and Mead Johnson Nutrition Company (together, “Mead Johnson”), Defendant Abbott  
3 Laboratories (“Abbott”), and Defendant Dignity Health d/b/a Bakersfield Memorial Hospital  
4 (“Dignity”) (collectively, the “Parties”) hereby stipulate as follows:

5 WHEREAS, on April 6, 2022, Plaintiffs filed their Complaint in the Superior Court of the  
6 State of California for the County of Kern, Case No. BCV-22-100810, wherein Plaintiffs assert  
7 claims arising from the administration of Abbott’s and/or Mead Johnson’s specialized preterm  
8 infant formula and/or human milk fortifiers;

9 WHEREAS, on April 8, 2022, the Judicial Panel for Multidistrict Litigation (“JPML”)   
10 agreed that centralized proceedings for these cases was necessary and established *In re Preterm*  
11 *Infant Nutrition Prods. Liab. Litig.*, MDL 3026 and assigned it to Chief Judge Rebecca Pallmeyer  
12 in the United States District Court for the Northern District of Illinois (the “MDL”);

13 WHEREAS, on May 24, 2022, Abbott was served Plaintiffs’ Complaint;

14 WHEREAS, on June 23, 2022, Abbott timely removed the above-captioned case (the  
15 “Action”) to the Eastern District of California on the basis of diversity jurisdiction pursuant to  
16 28 U.S.C. § 1332 (Dkt. 1);

17 WHEREAS, on June 24, 2022, Abbott filed a “tag-along” notice to transfer this Action to  
18 the MDL;

19 WHEREAS, on June 27, 2022, Abbott filed a Motion to Stay Pending JPML’s Final  
20 Decision on Transfer (“Motion to Stay”), which is set for hearing on August 5, 2022;

21 WHEREAS, on June 30, 2022, the JPML issued a Conditional Transfer Order (“CTO-  
22 10”) to transfer this Action to the MDL;

23 WHEREAS, Plaintiffs did not oppose CTO-10 by their deadline to do so (July 7, 2022),  
24 thereby prompting the transfer of this Action to the MDL;

25 WHEREAS, on July 11, 2022, the Parties agreed to request this Court to stay all  
26 proceedings and deadlines in this Action pending transfer to the MDL.

1 IT IS HEREBY STIPULATED AND JOINTLY REQUESTED that:

- 2 1. All proceedings and deadlines in this Action are stayed pending transfer to the MDL.  
3 2. The hearing on Abbott's Motion to Stay, set for August 5, 2022, be vacated.

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5 Dated: July 11, 2022

Respectfully submitted,

6 JONES DAY

7  
8 By: /s/ Celeste M. Brecht

Celeste M. Brecht  
Caroline D. Murray  
Ramanda R. Luper

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10 *Attorneys for Defendant*  
11 *Abbott Laboratories*

12 Dated: July 11, 2022

STEPTOE & JOHNSON LLP

13  
14 By: /s/ Jonathan M. Baum

Jonathan M. Baum

15 *Attorneys for Defendants*  
16 *Mead Johnson & Company, LLC and Mead*  
17 *Johnson Nutrition Company*

18 Dated: July 11, 2022

GRANT & EISENHOFER, P.A.

19 By: /s/ M. Elizabeth Graham

M. Elizabeth Graham

20 *Attorneys for Plaintiffs*

21  
22 Dated: July 11, 2022

LOW, MCKINLEY, & SALENKO, LLP

23  
24 By: /s/ Nicholas J. Leonard

Nicholas J. Leonard

25 *Attorneys for Defendant*  
26 *Dignity Health*